

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

RALPH L. MACHELIT, III,

Plaintiff,

v.

BANK OF AMERICA, N.A., *et al.*,

Defendants.

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CIVIL ACTION H-12-1942

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

Having reviewed the Magistrate Judge's Memorandum and Recommendation dated December 12, 2012 (Dkt. 23),¹ the court is of the opinion that the Memorandum and Recommendation be adopted by this court. Therefore, it is ORDERED that the Memorandum and Recommendation (Dkt. 23) is hereby ADOPTED by the court. Defendants Bank of America, N.A.'s and Federal National Mortgage Association's motion to dismiss (Dkt. 3), and defendant Barrett Baffin Frappier Turner & Engel, L.L.P.'s motion to dismiss (Dkt. 4) are GRANTED. Plaintiff's case is DISMISSED with prejudice.

It is so ORDERED.

Signed at Houston, Texas on January 10, 2013.



Gray H. Miller
United States District Judge

¹ No party filed objections.